

**TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Thomas J. Willi, Town Administrator (954) 797-1030

**PREPARED BY:** Barbara McDaniel, Assistant Town Clerk

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** District 3

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING A VOLUNTARY ANNEXATION PETITION FROM JOSEPH AND ARLENE EBELHAR TO ANNEX PROPERTY WHOSE LEGAL DESCRIPTION IS DESCRIBED AS FRUITLANDS CO SUB NO 1 2-17 D 31-50-41 TRACT 17 EAST 227 LESS SOUTH 100 AND LESS NORTH 115 (AKA Parcel B; 4851 SW 106 Avenue) LYING AND BEING IN BROWARD COUNTY, FLORIDA, PLUS ANY INTEREST OF PETITIONER IN ADJACENT PUBLIC RIGHTS-OF-WAY; SAID ANNEXATION TO TAKE EFFECT UPON APPROVAL BY THE LEGISLATION.

**REPORT IN BRIEF:** On May 15, 2002, Joseph and Arlene Ebelhar submitted a voluntary annexation request for property located in the United Ranches area which would create an enclave if annexed without legislative approval. An annexation bill has been submitted to Broward County for the United Ranches area.

**PREVIOUS ACTIONS:** not applicable

**CONCURRENCES:** not applicable

**FISCAL IMPACT:** not applicable

**RECOMMENDATION(S):** Motion to approve the resolution

**Attachment(s):** Resolution, Voluntary Annexation petition and map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING A VOLUNTARY ANNEXATION PETITION FROM JOSEPH AND ARLENE EBELHAR TO ANNEX PROPERTY WHOSE LEGAL DESCRIPTION IS DESCRIBED AS FRUITLANDS CO SUB NO 1 2-17 D 31-50-41 TRACT 17 EAST 227 LESS SOUTH 100 AND LESS NORTH 115 (AKA Parcel B; 4851 SW 106 Avenue) LYING AND BEING IN BROWARD COUNTY, FLORIDA, PLUS ANY INTEREST OF PETITIONER IN ADJACENT PUBLIC RIGHTS-OF-WAY; SAID ANNEXATION TO TAKE EFFECT UPON APPROVAL BY THE LEGISLATION.

WHEREAS, the owner of that property described hereafter has submitted a voluntary annexation petition to the Town Council to annex such property to the Town of Davie; and

WHEREAS, the Town Council has determined further that the Town can provide to such property, the necessary municipal services, and

WHEREAS, the annexation of such property will be in the best interest of the Town of Davie and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The property described as:

Florida Fruitlands Co Sub No 1 2-17 D 31-50-41 Tract 17 East 227 less South 100 and less north 115 (AKA Parcel B, 4851 SW 106 Avenue)

shall be annexed to the Town of Davie upon the approval of the Florida Legislature.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002.

\_\_\_\_\_  
Mayor/Councilmember

ATTEST:

\_\_\_\_\_  
Town Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2002

**AFFIDAVIT OF INTENT TO PETITION FOR  
VOLUNTARY ANNEXATION INTO TOWN OF DAVIE**

**STATE OF FLORIDA**

**COUNTY OF BROWARD**

BEFORE ME, the undersigned authority, personally appeared JOSEPH EBELHAR & ARLENE EBELHAR, who after being duly sworn, depose(s) and say(s):

1. That I/we am/are the owner(s) of that one certain real property, whose address is 4851 S.W. 106<sup>TH</sup> AVENUE, FT. LAUD., FL., and that I/we am/are making this Affidavit of my/our own free will and knowledge.
2. That the legal description of the aforesaid property is as follows: (optional)

FLA FRUIT LANDS CO SUB NO 1 2-17 D 31-50-41 TRACT 17  
E 227 LESS S 100 & LESS N 115 AKA PARCEL B

3. That your Affiant(s) is/are the owner(s) of the aforementioned real property located in an unincorporated area of Broward County which is contiguous to the Town of Davie, and it is my/our wish that my/our real property be annexed into and made part of the Town of Davie and my/our intent to file with the appropriate governing body of said municipality a petition seeking that said property be annexed into the Town of Davie.
4. Your Affiant(s) is/are making this Affidavit in order to encourage the appropriate governmental authorities to support this intent to seek voluntary annexation into the Town of Davie.
5. That the signers of this Affidavit represent all of the owners of the subject property whose street address and/or legal description is set forth above.

**FURTHER AFFIANT(S) SAYETH NAUGHT.**

Joseph Ebelhar  
Property Owner

Arlene Ebelhar  
Property Owner

Arlene Ebelhar 05-15-02

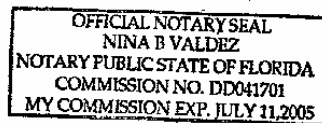
The foregoing instrument was acknowledged before me this 15 day of May, 2002, by Joseph & Arlene Ebelhar, who is/are personally known to me or who has/have produced Driver's Licenses as identification and who did/did not take an oath. (Florida)

Nina B. Valdez

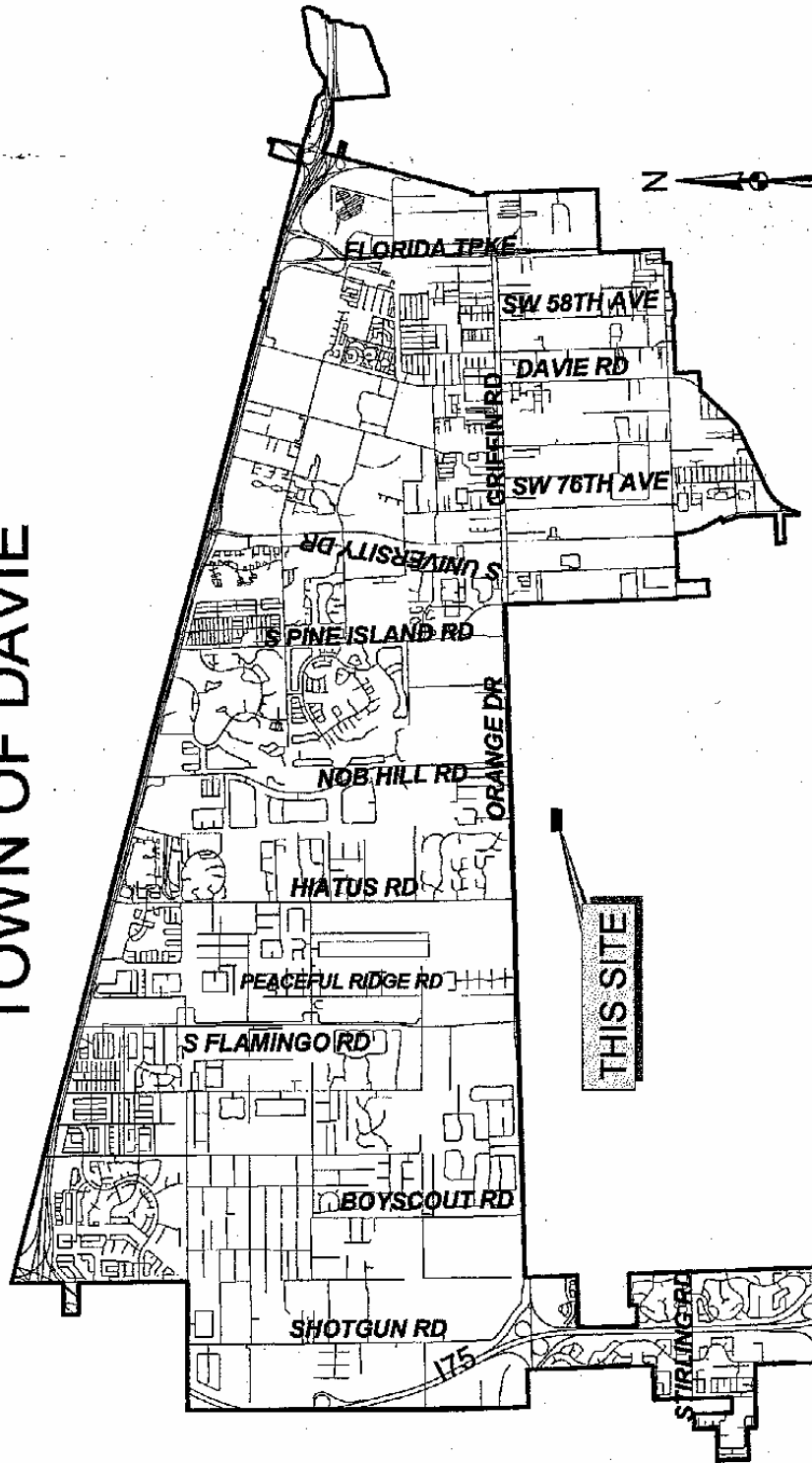
Notary Public, State of Florida  
at Large

Nina B. Valdez  
Print, Type or Stamp Name

My Commission Expires:



# TOWN OF DAVIE



Not to Scale